UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,910	09/29/2003	Michael F. Malone	MPOR-26,491	9008

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EXAMINER
SHERALI, ISHRAT I

ART UNIT	PAPER NUMBER
2621	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/674,910	MALONE ET AL.
	Examiner	Art Unit	
	Sherali Ishrat	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 10102004

DETAILED ACTION

Claim objection

1.   Claim 6, is objected by the examiner because claim 6, in line 2, recites "captured image or other information preior to transmission. Preior is incorrectly spelled. Claim should recite captured image or other information prior to transmission.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass et al. (US 6,332,193) in view of Cahill et al. (US 2003/0048921 A1).

Regarding claim 1, Glass discloses recording image (Glass, in col. 4, lines 49-52, states "host computer [figure 1, block 2] can be personnel computer or embedded processor which has sufficient memory to hold the biometric image file". In the system of Glass this corresponds to recording image), comprising;

a capture device for capturing the image (Glass, in col. 9, lines 26-30, states " The client computer receives the token and sends it to the imaging system 4 in figure 2,

The imagining system contain a camera 6 which has secret key. The camera is then instructed to generate a secure image. In the system of Glass the client computer, imagining system and camera, which are shown by figure 2 and indicated by box 1, corresponds to the a capture device for capturing the image)

a local verification device for indelibly marking the captured image with the time information identifying the creator of the data (Glass, in col. 9, lines 30-34, states "The camera accepts the token, captures an image, and uses a digital signature algorithm which takes the image, token, and the camera's secret key as a parameters to provide a digital signature of the particular image. The camera outputs the secured image to the client". In the system of Glass camera using digital signature algorithm is a local verification device, which generates local verified secured image. Glass, in col. 10, lines 1-5, states "During camera manufacture private [secret key] and serial number are assigned to each camera", which is therefore identification of the creator [camera] and in col. 10, lines 19-21, "token is generated using a time stamp". As discussed above digital signature algorithm takes the "image", "token" [time stamp], and "private/secret key" [identification of the camera/creator] as parameter to provide a digital signature of the particular image and which is secure image. Therefore by the process of generation of digital signature Glass shows a local verification device for indelibly marking the captured image [digital signature] with the time information [token] and identifying the creator of the data [private/secret key]);

transmitting the locally verified captured image in real time to a secure facility (Glass, in col. 9, lines 34-38, states "The camera outputs the secured image to client's

computer and the client computer sends the image to the server over the network along with digital signature". This corresponds to transmitting the locally verified [digital signature] captured image in real time to a secure facility" and in figure 2, Glass shows that communication of image from client's computer to the server is through firewall which corresponds to secure facility); and

capturing device receiving and verifying acknowledgement of the receipt of the transmitted locally verified captured image to the storage facility (Glass, in col. 10, lines 50-54, states, "The server then take the image and perform the biometric identification indicated by box 16 in figure 8. Upon passing the biometric identification the client is provided access to the secured resource indicated by box18 in figure 8". In the system of Glass, upon passing the biometric identification the client is provided access to the secured resource indicated by box 18 in figure 8 is equivalent to capturing device [client computer, imagining system and camera, which are shown by figure 2 and indicated by box 1], corresponds to capturing device receiving and verifying acknowledgement of the receipt of the transmitted locally verified captured image to the storage facility because host computer system is permitted access to the secured resource).

Glass however has not disclosed indelibly marking the captured image with the information with date, and location.

In the same field of endeavor Cahill discloses indelibly marking the captured image with the information with date, time and location (Cahill, in page 6, left-column, lines 41-43, states figure shows implementation of the data embedding to image bundle shown by figure 1, and page 6, right-column, lines 1-5, geographical location of the

point of capture, date/time and unique ID associated with camera/photographer is

embedded. This corresponds to indelibly marking the captured image with the

information with date, time and location).

Therefore it would have been obvious to one having ordinary skill in the at the

time the invention was made to use the teaching of Cahill in the system of Glass by

indelibly marking the captured image with the information with date, and location

because such system would provide enhanced security and verification capability in the

system of Glass.

Regarding claim 2, Glass discloses capture device is a digital camera (Glass, in

col. 4, lines 56-62, states "image is digitized and stored in the memory", which

corresponds to digital camera).

Regarding claim 3, Glass disclose a video camera (Glass, in col. 5, lines 49-51,

states "image may be CCD camera, a CMOS device or any two dimensional imager".

Therefore it is obvious that the system of Glass can use any conventional video

camera because it is two-dimensional imager).

Regarding 4, Glass discloses local verification (Glass, in col. 9, lines 30-34

shows digital signature algorithm takes the "image", "token" [time stamp], and

"private/secret key" [identification of the camera/creator] as parameter to provide a

digital signature of the particular image and which is secure image. Therefore by the

process of generation digital signature Glass shows a local verification device for

indelibly marking the captured image [digital signature] with the time information [token]

and identifying the creator of the data [private/secret key]

Glass has not disclose local verification comprises geographical position and time of determination receiver.

In the same field of endeavor (Cahill, page 6, right-column, lines 1-5, shows geographical location of the point of capture, date/time).

Therefore it would have been obvious to one having ordinary skill in the at the time the invention was made to use the teaching of Cahill in the system of Glass by indelibly marking the captured image with the information with date, and location because such system would provide enhanced security and verification capability in the system of Glass.

Regarding claim 5, Glass discloses secure signature authority for transmitting a of the locally verified image to a certification authority for certification (Glass, col. 10, lines 37-42, states "server sends serial number of camera to central camera certification authority which looks up that camera key. The public key is returned to the server. Server checks that the image has not been tampered by computing the same digital signal algorithm on the data". This corresponds to secure signature authority for transmitting a of the locally verified image to a certification authority for certification), and

return of a certificate of authority which is merged with and becomes part of locally verified image (Glass, in col. 10, lines 46-57, the output of the algorithm is checked against the digital signature from the client if out puts are the same the received image is valid. The sever takes the image and perform the biometric identification. Upon passing the biometric identification the client is provided access to

secure resource. A record of transaction is can be logged by the server system which contains the secure image and the unique camera key". This corresponds to return of a certificate of authority which is merged with and becomes part of locally verified image [log by server of transaction which include secure image and the unique camera key]).

Regarding claim 6, Glass discloses encryption device for encrypting the locally verified image prior to transmission (Glass, in col. 10, lines 62-65, encryption scheme for the data [image] prior to transmission from the client to the server).

Communication

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherali Ishrat whose telephone number is 703-308-9589. The examiner can normally be reached on 8:00 AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
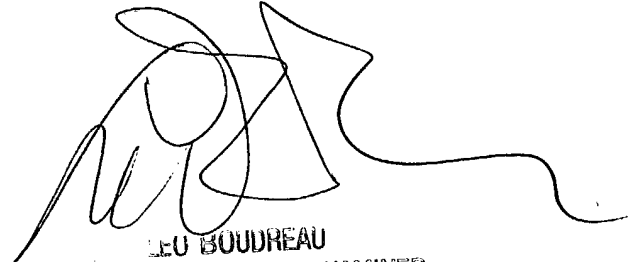
Ishrat Sherali

Patent Examiner

Group Art Unit 2621

October 10, 2004

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